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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,706	06/26/2000	ALWIN TIMMERMANN	1247-0861-3V	9778

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EXAMINER

STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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JE

Office Action Summary	Application No. 09/486,706	Applicant(s) TIMMERMANN, ALWIN	
	Examiner Gregory J. Strimbu	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 23 November 2004.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 10,12-15 and 17-28 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 10,12-15 and 17-28 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)

Office Action Summary

Part of Paper No./Mail Date 20050131

Claim Rejections - 35 USC § 112

Claims 10, 12-15, 17-19 and 23-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "the door" on line 6 of claim 10 render the claims indefinite because it is unclear if the applicant is claiming the subcombination of a component support assembly or the combination of a component support assembly and the door. The preamble of claim 10 implies the former while the positive recitation of the door implies the latter. Recitations such as "edge portions" on line 3 of claim 14 render the claims indefinite because it is unclear what element of the invention includes the edge portions the applicant is referring to. Recitations such as "the vehicle" on line 2 of claim 15 render the claims indefinite because it is unclear how the outer panel is to be mounted to vehicle when it appears that the outer panel is to be mounted to the door. Recitations such as "jointly fixed" on line 2 of claim 19 render the claims indefinite because it is unclear to what element of the invention the first wall is fixed. Recitations such as "the door window" on line 11 of claim 23 render the claims indefinite because they lack antecedent basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12, 14, 15, 17, 19, 23-25, 27 and 28 are rejected under 35 U.S.C.

103(a) as being unpatentable over Basson et al. in view of Renner et al. Basson et al., in figure 3A, discloses a component support assembly for a vehicle door having a window 7, comprising a rigid double-shell box structure having a first wall 201 and a second wall 203, the second wall being located between the first wall and the door, said second wall having at least first and second hollows (not numbered, but shown in figure 3A) separated by a separating member (not numbered, but shown in figure 3A), the first wall being connected to said second wall thereby forming an enclosed volume with the first hollow of the second wall and a plurality of vehicle door components 130 (see figure 3) and 110 directly mounted to the first wall so as to be located within the enclosed volume and so as to be independently supported by the rigid double shell box structure, an outer panel 2, an interior lining 202 and wherein the vehicle door component 110 comprises a window lifter. Basson et al. is silent concerning a curved shape.

However, Renner et al. discloses a vehicle door comprising a window panel 8 having a curved shape which substantially corresponds to a curved shape of an inner panel.1.

It would have been obvious to one of ordinary skill in the art to provide Basson et al. with a curved shape, as taught by Renner et al., to improve the aesthetic appearance of the vehicle via the curved window panel.

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Claims 13, 18, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Basson et al. in view of Renner et al. as applied to claims 10, 12, 14, 15, 17, 19, 23-25, 27 and 28 above, and further in view of Finch et al. Finch et al. disclose a vehicle door comprising a body of foam 11 for side impact protection.

It would have been obvious to one of ordinary skill in the art to provide Basson et al., as modified above, with a body of foam, as taught by Finch et al., to attenuate the forces generated during side impacts.

Response to Arguments

Applicant's arguments filed November 23, 2004 have been fully considered but are not persuasive.

With respect to the applicant's comments concerning Basson et al., the examiner respectfully disagrees. Basson et al. shows a first wall 201 and a second wall 203, the second wall being located between the first wall 201 and the door as defined by the outer panel 2 of the door as shown in figure 1. The vehicle components 130 and 110 as shown in figures 3 and 3A are directly mounted to the first wall 201 so as to be enclosed between the first 201 and second 203 walls. It should be noted that the limitation "vehicle door" in addition to presenting 35 USC 112 informalities is a very broad limitation since a "vehicle door" can be any one of the numerous elements forming the door. For example, the vehicle door could comprise the inner trim panel or the frame defining the opening for the window pane.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

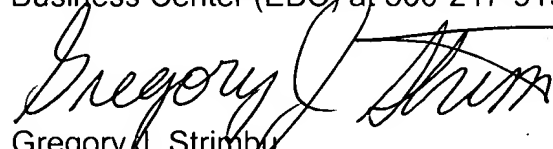
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal line extending from the end of the signature.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
January 31, 2005